

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

GREGORY GOODWIN,	)	
	)	
Plaintiff,	)	Civil Action No. 05-CV-161 (Erie)
	)	
v.	)	Judge Maurice B. Cohill, Jr.
	)	
ACCURIDE ERIE, L.P.,	)	ELECTRONIC FILING
	)	
Defendant.	)	

**DEFENDANT'S MOTION TO COMPEL DISCOVERY**

NOW COMES Defendant Accuride Erie, L.P., ("Defendant"), by and through its counsel, pursuant to Federal Rule of Civil Procedure 37 and Local Rule 7.1, and hereby moves for an Order compelling discovery, respectfully representing as follows:

1. On or about May 23, 2005, Plaintiff filed his Complaint in the above-captioned matter.
2. On or about November 11, 2005, Defendant served its First Set of Interrogatories and First Request for Production of Documents on Plaintiff. (Copies of these documents are attached hereto as Exhibit "A" and Exhibit "B," respectively.)
3. Plaintiff's responses to Defendant's First Set of Interrogatories and First Requests for Production of Documents were due on or about December 12, 2005.
4. By letter dated December 23, 2005, the undersigned informed Plaintiff's counsel that no response to Defendant's discovery requests had been received. (A copy of the December 23, 2005 letter is attached hereto as Exhibit "C.")
5. On or about January 4, 2006, Plaintiff's counsel telephoned Defendant's counsel stating responses would be served the following week.

5. To date, Plaintiff has not responded to Defendant's First Set of Interrogatories and First Requests for Production of Documents.

6. Defendant's Certificate of Consultation is attached.

WHEREFORE, Defendant requests this Honorable Court to compel Plaintiff to provide answers to Defendant's First Set of Interrogatories Directed to Plaintiff and Defendant's First Requests for Production of Documents Directed to Plaintiff within ten (10) days.

Respectfully submitted,

JACKSON LEWIS LLP

By: /s/Martin J. Saunders  
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ATTORNEYS FOR DEFENDANTS

Date: January 12, 2006

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

GREGORY GOODWIN,	)	
	)	
Plaintiff,	)	Civil Action No. 05-CV-161 (Erie)
	)	
v.	)	Judge Maurice B. Cohill, Jr.
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ACCURIDE ERIE, L.P.,	)	ELECTRONIC FILING
	)	
Defendant.	)	

**LOCAL RULE 7.1(c)**  
**DISCOVERY DISPUTE CERTIFICATE**

NOW COMES Defendant, by and through its undersigned counsel, and hereby files the within Discovery Dispute Certificate, stating that on December 23, 2005, Defendant's counsel corresponded with Plaintiff's counsel in an attempt to resolve the within issues but the issues remain unresolved.

Respectfully submitted,

JACKSON LEWIS LLP

By: /s/Martin J. Saunders  
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	)	
Defendant.	)	

CERTIFICATE OF SERVICE

I hereby certify that on January 12, 2006, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Joseph H. Chivers, Esquire  
312 Boulevard of the Allies, Suite 600  
Pittsburgh, PA 15222

/s/ Martin J. Saunders